

Application No. 10/078,816                    7 of 10  
Reply dated 18 January 2007  
Responsive to Office Action mailed on 18 October 2006

**REMARKS**

**Amendment to the Claims**

Claim 21 has been amended to incorporate the content previously recited in Claim 23, which previously depended from Claim 21.

Claim 23 has been cancelled in light of the incorporation of its content into Claim 21.

Claim 26 has been amended to recite the content previously recited in Claim 32 in place of its original text.

Claim 27 has been amended to recite the content previously recited in Claim 36 in place of its original text.

Claim 31 has been amended to make it independent by incorporating the previous content of Claim 21, from which it previously depended.

Claim 32 has been amended to recite the content previously recited in Claim 22 in place of its original text.

Claim 33 has been amended to recite the content previously recited in Claim 28 in place of its original text.

Claim 34 has been amended to recite the content previously recited in Claim 36 in place of its original text.

Claim 35 has been amended to make it independent by incorporating the previous content of Claim 21, from which it previously depended, and also to recite that the chemical indicating composition is covered on the entirety of its wearer-facing surface by the semipermeable membrane, in order to clarify the physical arrangement of these two structural elements as described on page 8 at lines 15-29 and as depicted in Figures 3 and 4.

Application No. 10/078,816

8 of 10

Reply dated 18 January 2007

Responsive to Office Action mailed on 18 October 2006

Claim 36 has been amended to make it dependent from Claim 35, rather than from Claim 21.

Claim 40 has been cancelled.

New Claim 41 has been added to depend from Claim 37 and to recite the same content as previously recited in Claim 36.

New Claim 42 has been added to depend from Claim 35 and to recite the same content as previously recited in Claim 22.

New Claim 43 has been added to depend from Claim 35 and to recite the same content as previously recited in Claim 28.

New Claim 44 has been added to depend from Claim 35 and to recite the same content as previously recited in Claim 36.

Although several claims have been amended, no content not previously recited in at least one claim has been added to any claim except Claim 35. Therefore, it is respectfully averred that a new search is not necessitated by the amendment to the claims in this Reply.

#### **Discrepancy between present claim rejections and present claims**

It is respectfully noted that the present claim rejections continue to refer to terms that appeared in the original claims, but do not appear in the present claims, e.g., "wearable article", "absorbent article", "specific gravity", and "measuring specific gravity".

#### **Telephonic interview**

The Examiner, the undersigned, and Mr. Donald C. Roe (one of the named inventors) participated in a telephonic interview on 17 January 2007. The claims were discussed, with specific points regarding Claims 23, 35, and 37 being the main topics. These points are summarized below.

Application No. 10/078,816

9 of 10

Reply dated 18 January 2007

Responsive to Office Action mailed on 18 October 2006

### **Claim Rejections**

All of the outstanding rejections were addressed in the previous Reply. In the present Office Action, a fuller explanation of the Examiner's basis for these rejections was provided. This clarification is appreciated.

Certain limitations recited in the claims that are independent as presented in this Reply will be discussed in detail. It is believed that particular aspects of these claims make them allowable over the cited references even when the aforementioned fuller explanation is taken into account. It is therefore requested that these independent claims and the remaining claims, all of which depend from thecsc claims, be allowed.

#### **Claim 21**

This independent claim has been amended to incorporate the content previously recited in Claim 23. In the embodiment of this claim, the translucent cover masks the signal when the ionic strength of the urine is below the predetermined threshold and the signal becomes visible through the cover when the ionic strength exceeds the threshold. Such an embodiment is described on page 6 at lines 5-12 and is shown in Figure 2B.

None of the cited references discloses a structure in which a translucent cover masks a signal until a threshold is exceeded. In particular, there is no translucent cover in the Neading reference or in the Hsu reference. The protective polymeric layer 26 in the temperature sensitive liquid crystal tape 11 of the Flam reference does not mask the appearance of the liquid crystal substrate layer 25. The translucent moisture barrier 28 in the Lee reference does not mask the appearance of the moisture sensitive reagent 24.

#### **Claim 31**

This claim was previously stated to contain allowable subject matter and to be allowable if rewritten in independent form. In this Reply, this claim has been amended to make it independent.

Application No. 10/078,816

10 of 10

Reply dated 18 January 2007

Responsive to Office Action mailed on 18 October 2006

Claim 35

This claim has been amended to make it independent and to recite that the chemical indicating composition is covered on the entirety of its wearer-facing surface by the semipermeable membrane. Such an embodiment is described on page 8 at lines 15-29 and is shown in Figures 3 and 4. None of the cited references discloses such a structure. In particular, the central portion 14B of Neading's fluid transport layer 14 does not cover the peripheral edge 14A of the same fluid transport layer 14 on its wearer-facing surface.

Claim 37

In the embodiment of this independent claim, the visible signal itself forms the alphanumeric character that is indicative of the level of dehydration. Such an embodiment is described on page 6 at lines 20-23 and is shown in Figure 6. None of the cited references discloses such a structure. Where an alphanumeric character is disclosed, it is never formed by the signal itself.

**Allowable Subject Matter**

It was stated in the Office Action that Claim 31 would be allowable if rewritten in independent form. This claim has been rewritten in this Reply to make it independent.

**Summary of this Reply**

It is believed that the amendment to the claims in this Reply makes all of the pending claims allowable over the cited references. Accordingly, timely and favorable consideration of the pending claims and the issuance of a Notice of Allowance are requested.

Respectfully submitted,

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